



1 person accused of the sexual assault, or both; and  
2 records of the results of such examinations and tests  
3 shall be maintained by the hospital and made available to  
4 law enforcement officials upon the request of the alleged  
5 sexual assault survivor;

6 (2) appropriate oral and written information  
7 concerning the possibility of infection, sexually  
8 transmitted disease and pregnancy resulting from sexual  
9 assault;

10 (3) appropriate oral and written information  
11 concerning accepted medical procedures, medication, and  
12 possible contraindications of such medication available  
13 for the prevention or treatment of infection or disease  
14 resulting from sexual assault;

15 (4) such medication as deemed appropriate by the  
16 attending physician;

17 (5) a blood test to determine the presence or  
18 absence of sexually transmitted disease;

19 (6) written and oral instructions indicating the  
20 need for a second blood test 6 weeks after the sexual  
21 assault to determine the presence or absence of sexually  
22 transmitted disease; and

23 (6.5) appropriate medically accurate non-biased  
24 oral and written information concerning accepted medical  
25 procedures for postcoital emergency contraception and  
26 medications approved by the federal Food and Drug  
27 Administration for use as postcoital emergency  
28 contraception;

29 (6.6) if requested by the survivor of an alleged  
30 sexual assault, medication approved by the federal Food  
31 and Drug Administration for use as postcoital emergency  
32 contraception unless contraindicated for medical reasons,  
33 unless a physician or health care provider exercises his  
34 or her rights under Section 10 of this Act; and

1           (7) appropriate counseling as determined by the  
2           hospital, by trained personnel designated by the  
3           hospital.

4           (b) Any minor who is an alleged survivor of sexual  
5           assault who seeks emergency services under this Act shall be  
6           provided such services without the consent of the parent,  
7           guardian or custodian of the minor.

8           (Source: P.A. 91-888, eff. 7-6-00.)

9           (410 ILCS 70/10 new)

10          Sec. 10. Right of conscience.

11          (a) No physician or health care provider shall be  
12          required to provide the treatment described in subdivision  
13          (a)(6.6) of Section 5 of this Act if providing that  
14          treatment is contrary to the conscience of the physician or  
15          health care provider and the physician or health care  
16          provider (i) provides medically accurate non-biased written  
17          and oral information about emergency contraception and makes  
18          a notation in the patient's records that the information was  
19          provided; (ii) administers appropriate testing to  
20          conclusively determine that, in fact, providing the  
21          medication described in subdivision (a)(6.6) of Section 5  
22          would be contrary to the conscience of the physician or  
23          health care provider; and (iii) has made arrangements for  
24          appropriate referral with a physician, health care  
25          professional, or pharmacy that guarantees access to emergency  
26          contraception medication within 2 hours after treatment.

27          (b) As used in this Section, "conscience" means a  
28          sincerely held and articulated set of moral convictions  
29          arising from belief in and relation to God, or which, though  
30          not so derived, arises from a place in the life of its  
31          possessor parallel to that filled by God among adherents to  
32          religious faiths.

33          (c) The Department shall define "appropriate referral"

1 by rule and shall require hospitals to include information  
2 regarding appropriate referral in the plan filed with the  
3 Department under Section 2. The physician, health care  
4 professional, or pharmacy who provides the medication is  
5 entitled to reimbursement under Section 7 of this Act.

6 (d) No physician or health care professional is relieved  
7 of any obligations under this Act unless he or she complies  
8 with this Section. This Section does not relieve the  
9 physician or health care provider of any other duty that may  
10 exist under any laws concerning current standards, normal  
11 medical practices, or procedures.

12 (e) This Section supersedes all other Acts or parts of  
13 Acts to the extent that any Acts or parts of Acts are  
14 inconsistent with the terms or operation of this Act.

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law."